

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JORDAN NATHANIEL MITCHELL,)
)
)
Plaintiff,)
)
)
v.) 1:23cv97
)
)
JOHN STONE, et al.,)
)
)
Defendant(s).)

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on February 7, 2023, was served on the parties in this action. (Docs. 3, 4.) Plaintiff filed an objection to the Recommendation. (Doc. 5.)

The court has conducted a de novo review of the Magistrate Judge's report to which objections have been made and is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action be filed and dismissed *sua sponte* without prejudice to Plaintiff filing a new complaint, on the proper § 1983 forms, which is accompanied by the applicable \$402.00 filing fee.

/s/ Thomas D. Schroeder
United States District Judge

February 16, 2023